

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action dated March 30, 2004. Claims 3-21 are pending. Claims 19-21 are withdrawn. Claims 1-12 and 15-18 are rejected. Claims 13 and 14 are objected to. Claims 3, 13, and 14 have been amended. Claims 16-18 have been canceled. Claim 22 has been added. Accordingly, claims 3-15 and 22 remain pending in the present application.

Restriction Requirement

Applicant affirms the election of the claims in Group I of the restriction requirement, which includes claims 3-18. Claims 19-21 are hereby withdrawn.

Objections to Abstract and Specification

The abstract of the disclosure is objected to because “an abstract should be a single paragraph instead of two.” Accordingly, Applicant has amended the Abstract to be a single paragraph. The examiner’s objection is thus traversed.

The disclosure is objected to because of informalities at page 7, line 11. Accordingly, Applicant has amended the paragraph which includes page 7, line 11. The examiner’s objection is thus traversed.

Claims 3 and 8

Claims 3 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,438,175 issued to Yamashita. The examiner states:

Regarding claim 3, Yamashita discloses a method for synchronizing nodes by generating a control signal during a transmission of a data frame, comprising:

- Receiving the serial data DZS, the S/P converting and clock detecting unit 21 reproduced the DZ(10) signal. Then, the synchronous word data detector 24 reproduced a synchronous SKD signal (receiving, by said second nodes, said control signal after receiving only a portion of said data frame). See fig. 4, and col. 13, lines 29-37.
- Supplying the SKD signal to the word clock generator 22 and the synchronous

signal forming unit 25 to reproduce local clocks and receive data (performing, by said second nodes, an action required by said control signal prior to waiting until said data frame has been fully received). See fig. 4, and col. 13, lines 38-44...

Applicant respectfully disagrees as to the claims as amended. The synchronous word data disclosed in Yamashita is part of the composite 10-bit word string data. (Col. 4, lines 47-67; col. 6, line 59 – col. 7, line 57; Fig. 2) In other words, the synchronous word data is inserted within the payload field.

However, with the present invention, the control signal can be inserted anywhere into the data stream. (See specification at p. 6, lines 13-17; p. 8, lines 3-9) Thus, the control signal can be inserted into data stream outside of the payload field of the data frame, such as the header. Yamashita does not disclose insertion of the synchronous word data in any other place other than the composite 10-bit word string data in the payload field.

Thus, Yamashita does not teach or suggest receiving, by said second one of said nodes, said control signal after receiving only a portion of said data frame, wherein said control signal was inserted in said data frame outside of a payload field of said data frame, in combination with the other element as recited in amended independent claim 3.

Claims 16-18

Claims 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,262,996 issued to Kainulainen et al. Claims 16-18 have been canceled. Their rejection is thus moot.

Claims 4, 10, 12, and 15

Claims 4, 10, 12, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita in view of U.S. Pat. No. 5,726,607 issued to Brede et al.

Applicant submits that claims 4, 10, 12, and 15 are patentable when read in combination with their corresponding amended independent claim 3. Applicant's arguments concerning

Yamashita as applied to claim 3 thus applies here with equal force. Thus, even if Brede teaches the limitations as argued by the examiner, Yamashita in view of Brede still does not teach or suggest receiving, by said second one of said nodes, said control signal after receiving only a portion of said data frame, wherein said control signal was inserted in said data frame outside of a payload field of said data frame, in combination with the other element as recited in amended independent claim 3 and claims 4, 10, 12, and 15.

Claims 5, 6, 7, 9, and 11

Claims 5, 6, 7, 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita in view of Brede further in view of U.S. Pat. No. 6,259,695 issued to Ofek.

Applicant submits that claims 5, 6, 7, 9, and 11 are patentable when read in combination with their corresponding amended independent claim 3. Applicant's arguments concerning Yamashita as applied to claim 3 thus applies here with equal force. Thus, even if Brede and Ofek teach the limitations as argued by the examiner, Yamashita in view of Brede further in view of Ofek still does not teach or suggest receiving, by said second one of said nodes, said control signal after receiving only a portion of said data frame, wherein said control signal was inserted in said data frame outside of a payload field of said data frame, in combination with the other element as recited in amended independent claim 3 and claims 5, 6, 7, 9, and 11.

Claims 13 and 14

Claims 13 and 14 are objected to as being dependent upon a rejected base claim, but the examiner states that they "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

Accordingly, Applicant has amended claim 13 to recite the limitations of claims 3, 12, and 13, and has amended claim 14 to recite the limitations of claims 3, 12, and 14. Amended claims 13 and 14 are thus allowable.

Claim 22

Applicant submits that newly added independent claim 22 is allowable for at least the same reasons as above.

Conclusion

Therefore, for the above identified reasons, the present invention as recited in independent claims 3 and 22 is neither taught nor suggested by the cited references. Applicant further submits that claims 4-15 are also allowable because they depend on the above allowable base claim.

In view of the foregoing, Applicant submits that claims 3-15 and 22 are patentable over the cited references. Applicant, therefore, respectfully requests reconsideration and allowance of the claims as now presented.

Applicants' attorney believes this application in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted,
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Date


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